

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Tremaine A. Allen

Docket No. 5:12-MJ-1819-1

Petition for Action on Probation

COMES NOW Keith W. Lawrence, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tremaine A. Allen, who, upon an earlier plea of guilty to Count 1- Simple Possession of Marijuana, in violation of 21 U.S.C. § 844, Count 5- Driving While Impaired-Level 2, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, and Count 6- Simple Possession of Marijuana, in violation of 21 U.S.C. § 844, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on July 9, 2015, to a 12-month term of probation under the conditions adopted by the court. As a result of the defendant testing positive for cocaine on July 23, 2015, a Violation Report was forwarded to the court. The court agreed to continue supervision to allow the defendant to participate in substance abuse treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On August 11, 2015, the defendant submitted a urine specimen which tested positive for cocaine. When confronted with the results, the defendant signed an admission of drug use. As a sanction for this conduct, and in an effort to deter future drug use, we would respectfully recommend that his probation be modified to include two additional days in the custody of the Bureau of Prisons. Furthermore, Allen will continue with substance abuse treatment and we will continue to monitor his drug use through the Surprise Urinalysis Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two additional days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Keith W. Lawrence

Keith W. Lawrence

Senior U.S. Probation Officer

310 Dick Street

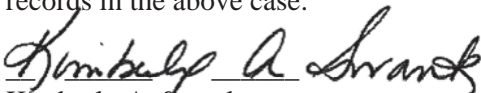
Fayetteville, NC 28301-5730

Phone: 910-354-2538

Executed On: August 28, 2015

ORDER OF THE COURT

Considered and ordered this 28th day of August, 2015 and ordered filed and made a part of the records in the above case.



Kimberly A. Swank

U.S. Magistrate Judge